

REMARKS

Claim 7 has been amended to recite the step of “cooling the pectin lyase-treated tea extract to 0°C to 5°C.” Support for the amendment appears throughout the specification as originally filed, including, e.g., page 4, lines 27-29. Claims 22-23 are amended to correct an inadvertent clerical error. Claim 24 has been amended to recite that the pectin lyase is a pure pectin lyase free of pectin methylesterase activity, pectate lyase activity, polygalacturonase activity, protease activity, phytase activity, amylase activity and/or lipase activity. Support for the amendment appears throughout the specification as filed, including, e.g., page 3, lines 7-9.

It is respectfully submitted that the present amendment presents no new issues or new matter and places this case in condition for allowance. Reconsideration of the application in view of the above amendments and the following remarks is requested.

I. Continued Examination

Applicants acknowledge with appreciation the Examiner's entry of the Request for Continued Examination.

II. Claim Objections

Claims 22-23 stand objected to for informalities in reciting “sp.” Applicants have deleted the terms, and respectfully submit that the objection is obviated thereby.

For the foregoing reasons, Applicants submit that the claims overcome the objection. Applicants respectfully request reconsideration and withdrawal of the objection.

III. The Rejection of Claims 24 under 35 U.S.C. 112, Second Paragraph

Claim 24 stands rejected under 35 U.S.C. 112, second paragraph as allegedly being indefinite. The Examiner states that it is unclear what is meant by the term “free of side activities” and what would fall under the category of “side activity.” This rejection is respectfully traversed.

To expedite prosecution, claim 24 has been amended to delete reference to “side activity.” Applicants respectfully submit that the rejection is obviated thereby.

For the foregoing reasons, Applicants submit that the claims overcome this rejection under 35 U.S.C. 112. Applicants respectfully request reconsideration and withdrawal of the rejection.

IV. The Rejection of Claims 7-24 under 35 U.S.C. 103

Claims 7-12 stand rejected under 35 U.S.C. 103 as allegedly being unpatentable over Kogya, CN 87103320, English-language translation provided by Examiner (“Kogya”) in view of Kuntz, Enzymes that Aid Beverages, Food Product Design, pp. 1-6 (1996) (“Kuntz”) and further in view of Tsai, U.S. Patent No. 4,639,375 (“Tsai”) for reasons of record. Claims 13-15, 21 and 23 stand rejected as allegedly unpatentable over Kogya in view of Kuntz and Tsai and further in view of Bida, Progress in the Molecular Biological Study of Fungal Pectinases, Advances in Bioengineering, vol. 20, pp. 14-18 (2000), English-language translation provided by Examiner (hereinafter “Bida”), in light of Encyclopedia of Food Microbiology (2000) (“Food Microbiology”). Claims 16-19 stand rejected as allegedly unpatentable over Kogya in view of Kuntz and Tsai and further in view of Sanderson, U.S. Patent No. 3,787,582 (“Sanderson”) for reasons of record. Claim 20 stands rejected as allegedly unpatentable over Kogya in view of Kuntz and Tsai and further in view of Alkorta, Immobilization of Pectin Lyase from *Penicillium italicum* by Covalent Binding to Nylon, Enzyme and Microbial Technology, pp. 141-146 (1996) (“Alkorta”) for reasons of record. Claim 22 stands rejected as allegedly unpatentable over Kogya in view of Kuntz, Tsai, Bida and further in view of Xu, US Patent Publication 2002/0004085 (“Xu”) and in light of Liu et al., USPN 6,544,297 (“Liu”). Claim 24 stands rejected as allegedly unpatentable over Kogya in view of Kuntz and Tsai and further in view of Klahorst, Food Product Design Article (January 2003) (“Klahorst”). This rejection is respectfully traversed.

Applicants’ amended claims are directed to a method for reducing storage haze formation in a packaged tea extract, comprising: (a) contacting the tea extract with a pectin lyase; (b) cooling the pectin lyase-treated tea extract to 0°C to 5°C; (c) separating insoluble solids from the tea extract; and (d) packaging the tea extract; wherein the storage haze formation is reduced by at least 10% compared to a tea extract not treated with a pectin lyase. None of the cited references, alone or in combination, teach or suggest Applicants’ claimed methods.

For the foregoing reasons, Applicants submit that the claims overcome this rejection under 35 U.S.C. 103. Applicants respectfully request reconsideration and withdrawal of the rejection.

VII. Conclusion

In view of the above, it is respectfully submitted that all claims are in condition for allowance. Early action to that end is respectfully requested. The Examiner is hereby invited to contact the undersigned by telephone if there are any questions concerning this amendment or application.

All required fees were charged to Novozymes North America, Inc.'s Deposit Account No. 50-1701 at the time of electronic filing. The USPTO is authorized to charge this Deposit Account should any additional fees be due.

Respectfully submitted,

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/Kristin McNamara, Reg. # 47692/

Kristin J. McNamara, Reg. No. 47,692

Novozymes North America, Inc.

500 Fifth Avenue, Suite 1600

New York, NY 10110

(212) 840-0097